

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:15cv43**

**BILTMORE AVENUE  
CONDOMINIUM ASSOCIATION,  
INC.,**

)  
)  
)  
Plaintiff, )  
)  
v. )  
)  
HANOVER AMERICAN INSURANCE )  
COMPANY, )  
Defendant. )  
-----)

**ORDER**

Pending before the Court is the Motion to Dismiss [# 4] and the Unopposed Motion for Extension of Time [# 8]. Defendant moved to dismiss the Complaint.

On March 24, 2015, Plaintiff filed an Amended Complaint. The filing of an amended pleading supersedes the original pleading and renders it void of any legal function in the case. Young v. City of Mount Ranier, 238 F.3d 567, 572 (4th Cir. 2001). Accordingly, the Court **DENIES as moot** the Motion to Dismiss [# 4] and Motion for Extension of Time [# 8]. Defendant may answer or otherwise respond to the Amended Complaint within the time provided by Rule 15(a)(3) of the Federal Rules of Civil Procedure.

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

